

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
302 W. WASHINGTON STREET, SUITE E-306
INDIANAPOLIS, INDIANA 46204-2764

<http://www.state.in.us/iurc/>
Office: (317) 232-2701
Facsimile: (317) 232-6758

IN THE MATTER OF PETITION OF)
INDIANA BELL TELEPHONE COMPANY,)
INCORPORATED ("SBC INDIANA") FOR)
THE COMMISSION TO EXERCISE ITS)
STATUTORY AUTHORITY UNDER)
I.C. 8-1-2.6 *ET SEQ.* TO DECLINE TO)
EXERCISE ITS JURISDICTION, IN WHOLE)
OR IN PART, AND USE ALTERNATIVE)
REGULATORY PROCEDURES AND)
STANDARDS AND APPROVE)
SBC INDIANA'S ALTERNATIVE)
REGULATION PLAN FOR THE PRICING)
AND OTHER REGULATION OF)
SBC INDIANA'S RETAIL AND)
CARRIER ACCESS SERVICES.)

FILED

JAN 29 2004

INDIANA UTILITY
REGULATORY COMMISSION

CAUSE NO. 42405

IN THE MATTER OF THE PETITION OF)
INDIANA OFFICE OF UTILITY)
CONSUMER COUNSELOR ("OUCC") FOR)
THE COMMISSION TO EXERCISE ITS)
STATUTORY AUTHORITY UNDER)
I.C. 8-1-2.6 *ET SEQ.* TO DECLINE TO)
EXERCISE ITS JURISDICTION, IN WHOLE)
OR IN PART, AND USE ALTERNATIVE)
REGULATORY PROCEDURES AND)
STANDARDS AND APPROVE)
OUCC'S ALTERNATIVE)
REGULATION PLAN FOR THE PRICING)
AND OTHER REGULATION OF)
SBC INDIANA'S RETAIL AND)
CARRIER ACCESS SERVICES.)

IN THE MATTER OF JOINT PETITION OF)
THE CITIZENS ACTION COALITION OF)
INDIANA, INC., AND UNITED SENIOR)
ACTION OF INDIANA, INC., TO APPROVE)
AN ALTERNATE ALTERNATIVE)
REGULATION PLAN FOR THE PRICING)
AND OTHER REGULATION OF SBC)

INDIANA'S RETAIL AND CARRIER)
ACCESS SERVICES.)

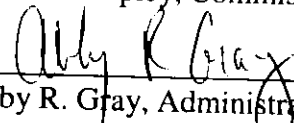
You are hereby notified that on this date, the Indiana Utility Regulatory Commission has caused the following entry to be made:

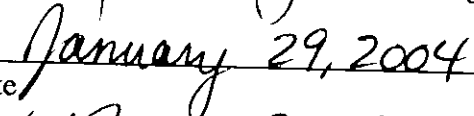
On November 24, 2003, Indiana Bell Telephone Company, Incorporated ("SBC Indiana") filed its *Objections to and Motion to Strike Portions of the Prefiled Testimony of Julie Ann Keen on Behalf of Indiana Office of Utility Consumer Counselor*. On November 26, 2003, the Indiana Office of Utility Consumer Counselor ("OUCC") filed a *Response to SBC Indiana's Motion to Strike*. On December 3, 2003, SBC Indiana filed a *Reply to Indiana Office of Utility Consumer Counselor's Response to SBC Indiana's Motion to Strike Portions of the Prefiled Testimony of Julie Ann Keen*. On December 5, 2003, the OUCC filed its *Response to SBC Indiana's Reply*. On December 8, 2003, SBC Indiana filed a *Correction to its Reply to Indiana Office of Utility Consumer Counselor's Response to SBC Indiana's Motion to Strike Portions of the Prefiled Testimony of Julie Ann Keen*. Said filings are incorporated herein by reference.

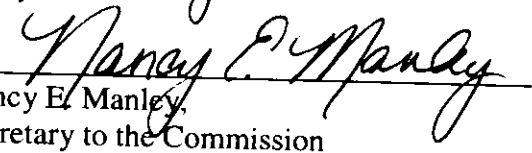
The presiding officers now find that the testimony subject to the Motion to Strike falls under Indiana Rule of Evidence 703 and therefore, the Motion to Strike should be DENIED.

IT IS SO ORDERED.


Judith G. Ripley, Commissioner


Abby R. Gray, Administrative Law Judge


Date


Nancy E. Manley,
Secretary to the Commission